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South and Vale GIS  
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# PLANNING

## Appendix 2

**Planning Decision**

**P03/W0079**

### **PLANNING PERMISSION**

Kazim Karabulut  
11 Eastfield Close  
Headington  
OXFORD  
OX3 7SH

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Application No : **P03/W0079**

Application proposal, including any amendments :  
**Ground floor change of use to A3 take away fast food and single storey extension to rear of property. (As amended by plans and details accompanying letter from the John Phillips Planning Consultancy dated 9th May 2003).**

Site Location : **100 The Broadway, Didcot**

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South Oxfordshire District Council hereby gives notice that **planning permission is GRANTED** for the carrying out of the development referred to above strictly in accordance with the description, plans and specifications contained in the application (as varied by any amendments as referred to above) subject to the following condition(s) :

1. That the development must be begun not later than the expiration of five years beginning with the date of this permission and if this condition is not complied with this permission shall lapse.

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990.

2. That the materials to be used for the external walls shall be of the same colour, type and texture as those used on the existing building.

Reason: To ensure that the details of the development are satisfactory in accordance with Policy G1 of the adopted South Oxfordshire



Local Plan.

3. That a scheme for the detailed method of fume extraction, including noise levels and odour abatement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use. The noise assessment must be undertaken in accordance with BS.4142.

Reason: To ensure that the development is not unneighbourly and in accordance with Policy G7 of the adopted South Oxfordshire Local Plan.

4. That the accommodation above the ground floor shall be occupied only by persons employed in connection with the ground floor use.

Reason: To ensure that the development is not unneighbourly and in accordance with Policy G7 of the adopted South Oxfordshire Local Plan.

5. That the premises shall not open after 11.00 pm. Sunday to Thursday nor after 11.30 pm on Fridays and Saturdays.

Reason: To ensure that the development is not unneighbourly in accordance with Policy G9 of the adopted South Oxfordshire Local Plan.

NB: Your attention is drawn to the attached note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970 (as amended) and the Building Regulations 1991 - Access for Disabled People.

NB: You are reminded that to use the premises other than as a take-away, will require a licence under the Late Night Refreshment Houses Act, 1969.

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

## STATUTORY INFORMATIVE

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under sections 78 and 79 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from :

The Planning Inspectorate  
Customer Support Unit  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN  
Telephone : 0117 372 6372  
[www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

### Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council

(District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town and Country Planning Act 1990.

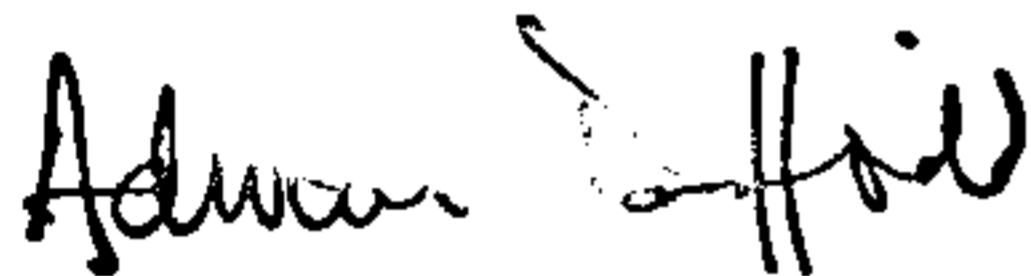
### Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act 1990.

### OTHER INFORMATION

The Planning Portal contains a huge range of helpful planning-related guidance and services. You may wish to view their website ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)).



Head of Planning  
15th July 2003

# **SOUTH OXFORDSHIRE DISTRICT COUNCIL**

## **CHRONICALLY SICK AND DISABLED PERSONS ACT 1970 (AS AMENDED) THE BUILDING REGULATIONS 1991 – ACCESS FOR DISABLED PEOPLE**

The Chronically Sick and Disabled Persons Act 1970 (as amended by the Chronically Sick and Disabled Persons Act 1976 and the Disabled Person's Act of 1981) together with the Building Regulations 1991 require persons undertaking the construction, extension or alteration of certain buildings or premises to make provision for the needs of disabled people\*.

The Building Regulations 1991 apply to all new non-domestic buildings and to any extension of those buildings where the extension includes a ground storey.

With regard to the needs of disabled people, matters which are controlled by the Regulations include

- (a) Access to the buildings.
- (b) Movement within the building
- (c) Provision of sanitary conveniences
- (d) Reasonable provision of suitable audience or spectator seating and,
- (e) Aids to communication at booking and reception areas plus provision to assist the hearing of public performances and discussions.

Building Regulation Approved Document M (1992) gives comprehensive guidance on ways of complying with the legislation. (If the proposal concerns schools or other educational establishments you may alternatively refer to Design Note 18 1984 "Access for Disabled Persons to Education Buildings", published by the Secretary of State for Education and Science).

If your development falls within any category controlled by the Building Regulations your plans should demonstrate that the proposals fully meet the needs of disabled people, and should be so implemented to comply with the requirements of the above legislation.

\*The term "disabled people" is used to include persons having impairment to sight, hearing and walking ability.